

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application. The claims have been rejected based upon nonstatutory double patenting. In order to overcome this rejection, applicant is submitting a terminal disclaimer, which is enclosed herewith. Please enter this terminal disclaimer in the record of this application.

In view of the filing of the terminal disclaimer, the double patenting rejection has now been overcome. It is believed that all the claims are now in condition for allowance, which is respectfully requested.

If any further fees are required by this communication which are not covered by an enclosed check, please charge such fees to our Deposit Account No. 16-0820, Order No. 31900US1.

Respectfully submitted,

PEARNE & GORDON LLP

By John P. Murtaugh  
John P. Murtaugh, Reg. No. 34226

1801 East 9<sup>th</sup> Street, Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: 4-7-05